

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Andrew Harvey Barr

Application No.: 10/690,066

Filing Date: 10/20/2003

Title: CIRCUIT BOARD AND METHOD IN WHICH THE IMPEDANCE OF A
TRANSMISSION-PATH IS SELECTED BY VARYING AT LEAST ONE OPENING IN A
PROXIMATE CONDUCTIVE PLANE

Confirmation No.:

Examiner: Stephen E. Jones

Group Art Unit: 2817

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$50	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$200	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	1ST MONTH \$120.00	2ND MONTH \$450.00	3RD MONTH \$1020.00	4TH MONTH \$1590.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Respectfully submitted,

Andrew Harvey Barr

By

Paul F. Rusyn

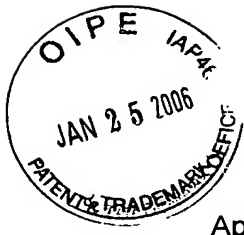
Attorney/Agent for Applicant(s)
Reg. No. 42,118

Date: 1/20/2006

Date of Deposit: 1/20/2006

Typed Name: Jamie Vrsek

Signature: Jamie Vrsek



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew Harvey Barr

Title: **CIRCUIT BOARD AND METHOD IN WHICH THE
IMPEDANCE OF A TRANSMISSION-PATH IS SELECTED
BY VARYING AT LEAST ONE OPENING IN A
PROXIMATE CONDUCTIVE PLANE**

Serial Number: 10/690,066

Filing Date: October 20, 2003

Examiner/Unit: Stephen E. Jones / 2817

Attorney Docket No.: 100202103-1 (1964-22-3)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class mail in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

on this 20th day of January, 2006


Jamie Vrsek

RESPONSE TO RESTRICTION REQUIREMENT

January 20, 2006

TO THE COMMISSIONER FOR PATENTS:

This communication is in response to the Restriction Requirement dated December 20, 2005 in which the Examiner restricted the pending claims in the present patent application.

The Examiner has restricted the claims into ten groups. In the Restriction Requirement, some claims are grouped based upon Figure 1, which is a background

figure and does not illustrate an embodiment of the present invention. Thus, the undersigned is unsure how to properly respond to the present Restriction Requirement. This is clear from the application given that Figure 1 is discussed under the Background section of the application. The figure can be so labeled in a future response if so requested by the Examiner.

For the purposes of this response, the undersigned has assumed in the groups including "Figure 1" this should be "Figures 2A and 2B." The Applicants respectfully traverse the restriction requirement on the grounds that the Examiner can search and examine the entire application without serious burden. Although the Applicants traverse the restriction requirement as discussed below, they provisionally elect to prosecute Group 2 corresponding to Figures 2A and 2B and claims 1-11 and 14-16 if the Examiner does not withdraw the restriction requirement.

According to MPEP § 803, if the Examiner can search and examine the application without serious burden, then he/she **MUST** examine the application on the merits even though it includes claims to independent or distinct inventions. As discussed below, because claims 1-11, 14-23, 25-28 and 30-35 recite similar subject matter, the Examiner can perform a single search and examination that will cover all of the claims. Consequently, the Examiner can search and examine the application without serious burden, and, therefore, **MUST** examine all of the claims 1-11, 14-23, 25-28 and 30-35 together.

Furthermore, because these claims recite related subject matter, examination of these claims will involve similar analyses. Therefore, it is only slightly more burdensome for the Examiner to search and examine claims 1-11, 14-23, 25-28 and 30-35 than it would be for him/her to search and examine the provisionally elected Group 2 claims 1-11 and 14-16. Consequently, because there is no serious burden on the Examiner to search and examine all of the claims 1-11, 14-23, 25-28 and 30-35, the **restriction is improper**. Therefore, the Examiner **MUST** withdraw the restriction and examine all of the claims.

Therefore, as discussed above, the Applicants respectfully request the Examiner to withdraw the restriction requirement and to examine all of the claims 1-11, 14-23, 25-28 and 30-35.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicants' attorney, Paul F. Rusyn, at (425) 455-5575.

Respectfully submitted,

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